

Entered - 1-24-01- sb
CL 01L0079 - ALEXIS HOLMES

CLAIM OF: **FRANK M. KIBLER**
2660 Peachtree Road
Apartment 28 C
Atlanta, Georgia 30305

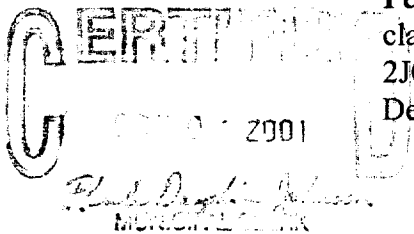
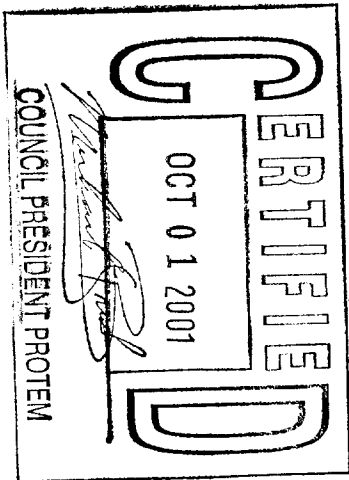
01- R -1522

ADOPTED BY
OCT 01 2001
COUNCIL

For vehicular damages alleged to have been sustained as a result of his vehicle falling into a collapsed sewer in the road on January 2, 2001 at 11 Peachtree Way.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **FRANK M. KIBLER** the sum of **\$730.79** in full settlement and satisfaction of all claims, past, present and future, of every kind and character **for vehicular damages alleged to have been sustained as a result of his vehicle falling into a collapsed sewer in the road on January 2, 2001 at 11 Peachtree Way** as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.



FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: SEP 25 2001
CHAIR: ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

WITHOUT SIGNATURE
BY OPERATION OF LAW

OCT 10 2001

[Signatures]

Rubens Newell by
Rob N. C. J. DCA

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1522

A RESOLUTION

BY: PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **FRANK M. KIBLER** the sum of **\$730.79** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of his vehicle falling into a collapsed sewer in the road on **January 2, 2001 at 11 Peachtree Way** as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, OMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

OCT 01, 2001

OCT 10, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0079

Date: 9/11/01

Claimant /Victim FRANK M. KIBLER

BY: (Atty) _____

Address: 2660 Peachtree Road, Apartment 28 C Atlanta, Georgia 30305

Subrogation: _____ Claim for Property damage \$ 730.79 Bodily Injury \$ _____

Date of Notice: 1/19/01 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 1/2/01 Place: 11 Peachtree Way

Department Public Works Division: Sewer Operations

Employee Involved _____ Disciplinary Action _____

NATURE OF CLAIM: The claimant sustained damages to his vehicle when his vehicle fell into a collapsed sewer in the road. The City had prior notice of this problem and has taken steps to repair the defect.

INVESTIGATION:

Statements: City employee _____ Claimant X Other _____ Written X Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X

Improper Notice _____ More than Six Months X Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____


Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 730.79 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____

Claims Manager:  Concur/date 09-12-01

Committee Action: _____ Council Action _____

RCS# 3142
10/01/01
1:54 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 14

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-1018

CONSENT

10/01/01 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 01-O-1570	39. 01-R-1529
2. 01-O-1571	40. 01-R-1530
3. 01-O-1354	41. 01-R-1531
4. 01-O-1488	42. 01-R-1532
5. 01-O-1335	43. 01-R-1533
6. 01-O-1336	44. 01-R-1534
7. 01-O-1337	45. 01-R-1535
8. 01-O-1342	46. 01-R-1536
9. 01-O-1343	47. 01-R-1537
10. 01-O-1344	48. 01-R-1538
11. 01-O-1345	49. 01-R-1539
12. 01-O-1346	50. 01-R-1540
13. 01-O-1119	51. 01-R-1541
14. 01-O-1351	52. 01-R-1542
15. 01-O-1572	53. 01-R-1543
16. 01-R-1588	54. 01-R-1544
17. 01-R-1273	55. 01-R-1548
18. 01-R-1276	56. 01-R-1549
19. 01-R-1428	57. 01-R-1550
20. 01-R-1456	58. 01-R-1551
21. 01-R-1471	59. 01-R-1552
22. 01-R-1499	60. 01-R-1553
23. 01-R-1580	61. 01-R-1554
24. 01-R-1581	62. 01-R-1555
25. 01-R-0921	63. 01-R-1556
26. 01-R-1561	64. 01-R-1557
27. 01-R-1584	65. 01-R-1558
28. 01-R-1521	66. 01-R-1559
29. 01-R-1522	67. 01-R-1560
30. 01-R-1523	
31. 01-R-1524	
32. 01-R-1525	
33. 01-R-1526	
34. 01-R-1527	
35. 01-R-1528	
36. 01-R-1545	
37. 01-R-1546	
38. 01-R-1547	
